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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/615,958	07/09/2003	Arthur Pennington	35194009008	1273

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EXAMINER

PHAM, KHANH B

ART UNIT PAPER NUMBER

2166

DATE MAILED: 01/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/615,958	<b>Applicant(s)</b> PENNINGTON, ARTHUR	
	<b>Examiner</b> Khanh B. Pham	<b>Art Unit</b> 2166	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 09 July 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☒ Claim(s) 1 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>10/14/03</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Oath/Declaration***

1. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because the inventive entity information and priority information are incorrect. The inventive entity information in the oath or declaration is inconsistent with other papers and the priority information refers to an unrelated provisional application.

### ***Claim Objections***

2. Claim 1 is objected to because of the following informalities:

Claim 1 recites the limitation "the collated instruction" in line 13. There is insufficient antecedent basis for this limitation in the claim. For purposes of examination, the examiner presumes "the collated instruction" corresponds to "the transactional report" recited earlier in the claim. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

Art Unit: 2166

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1 are rejected under 35 U.S.C. 102(b) as being anticipated by Martino (US 5,987,103 A), hereinafter "Martino".

**As per claim 1**, Martino teaches a self-programming method of creating records of a transaction (See Fig. 1), the method comprising the steps of:

- "receiving user input data from a user input device" at Col. 2 lines 66-67;
- "executing first software instructions such that a Designer implements the user input data, the Designer including supplemental instructions stored therein for use in connection with the user input data" at Col. 2 lines 55-65;
- "collating the user input data with the supplemental instructions for creating a transactional report" at Col. 2 line 55 to Col. 3 line 19 and Col. 5 lines 50-55;
- "transmitting the transactional report to a server, wherein the server includes at least one direct access memory for pre-storing data" at Col. 3 lines 20-34;
- "executing second software instructions such that the server collates the collated instructions with data pre-stored in the server in order to generate a final report" at Col. 3 lines 20-34;
- "and transmitting the final report to an end user device" at Col. 3 lines 20-34.

**As per claim 2**, Martino teaches the method of claim 1 wherein "the first software instructions carry out the steps of: (1) defining a form appropriate for the transaction at Col. 9 lines 19-29; (2) defining business rules for the transaction at Col.

Art Unit: 2166

22 lines 32-55; (3) defining product calculations for the transaction at Col. 15 lines 43-50; (4) extending a schema to fit the transaction at Col. 14 lines 32-42; and (5) allowing for the previewing of the form as prepared during steps (1-4) at Col. 9 lines 19-39.

**As per claim 3**, Martino teaches the method of claim 2 wherein “the second software instructions test the final data for accuracy and completeness before transmitting it to the end user device” at Col. 20 lines 50 and Col. 22 lines 25-29.

**As per claim 4**, Martino teaches the method of claim 1 wherein “the Designer is adapted to receive marketing, actuaries, form design, and procedure design supplied by the human input data instructions” at Col. 16.

**As per claim 5**, Martino teaches the method of claim 1 wherein “the first software instructions include a capability for designing transaction forms and documents, statements, summaries and reports, and instructions for providing editing and calculating, and work flow rules” at Cols. 15-18.

**As per claim 6**, Martino teaches the method of claim 1 wherein “the at least one direct access memory stores data relating to an application definition, a transaction definition, document templates, editing and calculating, work flow rules and database schema” at Col. 21 line 12 to Col. 22 line 16.

**As per claim 7**, Martino teaches the method of claim 1 wherein “the at least one direct access memory stores data relating to a document history, customer history, current customer state, future events, and user tasks” at Col. 21 to Col. 22 line 16.

**As per claim 8**, Martino teaches a data processing method for causing a computer to produce a document relating to a specific transaction, the method comprising:

- “receiving user input data supplied by an end user from a user input device, the user input data received in a Designer having first data relating to the creation of a computer usable program stored therein” at Col. 7 lines 19-54;
- “generating a transactional report for use by a server, wherein the transactional report is generated using the user input data and the first data” at Col. 9 lines 19-29;
- “transferring the transactional report to the server, wherein the server includes an administration protocol and includes second data relating to specific customer information stored therein” at Col. 7 line 55 to Col. 8 line 55;
- “preparing the computer usable program utilizing the transactional report and the administrative protocol” at Col. 8 lines 7-31 and Col. 10 lines 1-45;
- “collating and assembling information in the transactional report with administrative protocol data and the second data” at Col. 8 lines 7-31;
- “arranging the collated and assembled information for providing a final report; and providing the final report to an end user device” at Col. 8 lines 7-31.

**As per claim 9**, Martino teaches the method of claim 8 further comprising:  
“displaying a preview of an output form for the transactional report; and providing for editing of the output form; and providing for approval of the output form prior to be transferred to the server” at Col.18 line 49 to Col. 19 line 50.

**As per claim 10**, Martino teaches the method of claim 8 wherein “the transactional report generated by the Designer is formed responsive to the initial steps including defining a form, defining work flow rules, defining product calculation and interrogating a database” at Col. 15 lines 20-57.

**As per claim 11**, Martino teaches the method of claim 10 further comprising:  
“selecting a subject matter relating to the specific transaction, thereby identifying at least one of an institution, business, fund or organization” at Col. 22 line 32 to Col. 23 line 58.

**As per claim 12**, Martino teaches the method of claim 11 wherein “the input data includes a name of a financial entity, an amount of money involved in the specific transaction, and details of a specific transaction” at Col. 22 line 32 to Col. 23 line 58.

**As per claim 13**, Martino teaches the method of claim 8 wherein “the specific transaction involves a buy/sell order and the initial steps include identifying a specific customer, selecting a financial entity, entry of a number of units bought/sold, and calculating a total price of the units bought/sold” at Col. 23 lines 35-58.

**As per claim 14**, Martino teaches the method of claim 13 further comprising:  
“deciding whether to approve or refuse the buy/sell order” at Col. 23 lines 35-58.

**As per claim 15**, Martino teaches the method of claim 8 further comprising:  
“verifying that the specific transaction is within parameters of the first data and the second data” at Col. 20 lines 30-50.

**As per claim 16**, Martino teaches the method of claim 8 further comprising:  
“defining a payee of any checks or money transfers generated by an approved transaction” at Col. 22 lines 32-64.

**As per claim 17**, Martino teaches the method of claim 8 further comprising:  
“identifying a specific customer who provided the input data and requiring the specific customer to authorize a final transaction before completion of the specific transaction” at Col. 23 lines 35-58.

**As per claim 18**, Martino teaches an apparatus for processing and documenting transactional information, the transactional information relating to any one of many different businesses, the apparatus comprising:

- “an input device capable of receiving a user to input data for processing and documenting the transaction” at Col. 6 lines 4-42;
- “a Designer operably coupled to receive the user input data from the input device, the Designer supplying a form responsive to the user input data and generating a program responsive to the user input data, the program providing at least one document selected from a group consisting of statements, summaries, and reports relating to the transaction, for implementing and editing of the selected document, for implementing calculations, and for implementing work flow rules” at Col. 14 line 20 to 67;



- “a server operably coupled to the Designer, wherein the server responds to the generated program to generate a document” at Col. 8 lines 10-30;
- “a first memory associated with the server for providing archived matter, the first memory being a repository of pre-stored information for carrying out the generated program, the repository including application definitions, transition definitions, document templates, edits and calculations, work flow rules, and a database schema” at Col. 10 lines 1-55;
- “a second memory associated with the server, the second memory having a repository for receiving input data and for outputting processed data, the repository including a document history, a customer history, a file of current customer state, a file of future events, and a file of user tasks; and a device for transmitting the document as prepared jointly by the Designer and the server over the internet” at Col. 22 line 32 to Col. 23 line 58.

**As per claim 19**, Martino teaches the apparatus of claim 18 further comprising:

- “a device inter-coupling the Designer and the server, the inter-coupling device comprising a first unit for providing administrative tasks and a second unit for providing customer self-service, the first and second units being responsive to the Designer and to the first and second memories” at Fig. 1;
- “the first unit providing program instructions for handling phone inquiries and transactions, entering data relating to the transactions, auditing customer

Art Unit: 2166

accounts, verifying and approving transactions, and managing internal work flow”  
at Col. 16 line 10 to Col. 17 line 21; and

- “the second unit providing program instructions for checking account status, requesting statements, reprinting statements, reviewing transactional history, perform transactions, and scheduling future events” at Col. 22 lines 55-65.

**As per claim 20**, Martino teaches an apparatus for processing transactional information, the apparatus comprising:

- “a device for receiving user input data relating to a transaction” at Col. 6 lines 4-31;
- “a Designer responsive to the user input data for assembling instructions for creating a pre-program” at Col. 6 lines 32-67;
- “at least a first memory providing a repository of first pre-stored data relating to details of how a program is formed” at Col. 6 lines 43-52;
- “at least a second memory providing a repository of second pre-stored data relating to details of a possible transaction” at Col. 8 lines 10-20;
- “a program generating circuit including an administrative task protocol responsive to the Designer and the memories according to the first and second pre-stored data” at Col. 16 line 10 to Col. 17 line 21; and
- “the program generating circuit also including a customer self-service protocol for converting operations of the Designer, memories, and program generating circuit administrative task protocol into a computer usable message and transmitting the

Art Unit: 2166

computer usable message over an internet to an end user” at Col. 16 line 10 to col. 17 line 21.

***Conclusion***

5. The prior art made of record, listed on form PTO-892, and not relied upon, if any, is considered pertinent to applicant's disclosure.

If a reference indicated as being mailed on PTO-FORM 892 has not been enclosed in this action, please contact Lisa Craney whose telephone number is **(571) 272-3574** for faster service.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh B. Pham whose telephone number is (571) 272-4116. The examiner can normally be reached on Monday through Friday 7:30am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2166

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

January 23, 2006

**KHANH B. PHAM**  
**PRIMARY EXAMINER**

A handwritten signature in black ink, appearing to read 'Kpham', with a horizontal line underneath.